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*Admitted only in Maryland *Admitted only in Virginia •Practice Limited to Federal Agencies

November 22, 2004

WRITER'S DIRECT NUMBER:
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Art Unit 1644

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Application No. 09/833,203; Filed: April 12, 2001

For: Targe

Targeted Vaccine Delivery Systems

Inventors:

ZAUDERER et al.

Our Ref:

1821.0020001/EKS/AJK/T-M

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. SKGF Cover Letter;
- 2. Credit Card Payment Form PTO-2038 in the amount of \$180.00 to cover the appropriate fee;
- 3. Fee Transmittal (PTO/SB/17);
- 4. Third Supplemental Information Disclosure Statement;
- 5. One (1) page of Form PTO-1449 citing one (1) document;
- 6. A copy of cited document AS27; and
- 7. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Sterne, Kessler, Goldstein & Fox PLLC.: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents November 22, 2004 Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

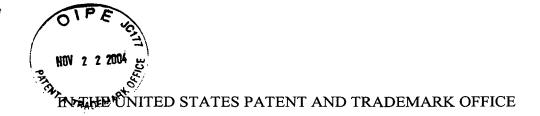
STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy L. Muller

Attorney for Applicants Registration No. 55,472

T-M/nef Enclosures

336563_1.DOC



In re application of:

Zauderer et al.

Appl. No.: 09/833,203

Filed: April 12, 2001

For: **Targeted Vaccine Delivery**

Systems

Confirmation No.: 1700

Art Unit: 1644

Examiner: Vandervegt, F.P.

Atty. Docket: 1821.0020001/EKS/T-M

Third Supplemental Information Disclosure Statement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450 Sir:

Listed on accompanying Form PTO-1449 is a document that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of the document is provided.

The numbering on this Third Supplemental Information Disclosure Statement is a continuation of the numbering in Applicants' Second Supplemental Information Disclosure Statement filed March 19, 2003, in connection with the above-captioned application.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art,

and/or to prove that this information may not be enabling for the teachings purportedly offered.

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This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

The Examiner is specifically requested not to rely solely on the material submitted herewith.

This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p); in addition:

I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Tracy L. Muller

Attorney for Applicants Registration No. 55,472

1100 New York Avenue, N.W. Washington, D.C. 20005-3934

(202) 371-2600 336233_1.DOC

Page 1 of 1 ATTY. DOCKET NO. APPLICATION NO. NOV 2 2 2004 1821.0020001/EKS/T-M 09/833,203 FORM PTO-14 APPLICANT(S) Zauderer et al. ART UNIT FILING DATE INFORMATION DISCLOSURE STATEMENT 1644 April 12, 2001 U.S. PATENT DOCUMENTS **EXAMINER** CLASS SUB-CLASS FILING DATE DOCUMENT NUMBER DATE NAME INITIAL AAAB AC ΑD ΑE ΑF AG ΑH ΑI ΑJ ΑK FOREIGN PATENT DOCUMENTS **EXAMINER** COUNTRY CLASS SUB-CLASS **TRANSLATION** INITIAL DOCUMENT NUMBER DATE Yes AL No Yes AM No Yes ΑN No Yes AO No Yes ΑP No OTHER (Including Author, Title, Date, Pertinent Pages, etc.) AR Lachman, L.B., et al., "Cytokine-Containing Liposomes as Adjuvants for Subunit Vaccines," in Pharmaceutical Biotechnology, Volume 6: Vaccine Design, The Subunit and Adjuvant AS <u>27</u> Approach, Powell, M.F., and Newman, M.J., eds., Plenum Press, New York, NY, pp. 659-671 (1995)

EXAMINER DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

AT

PTO/SB/17 (10-04v2)
Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FÉETRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

Name (Print/Type)

Signature

Tracy L. Muller

TOTAL AMOUNT OF PAYMENT (\$) 180.00

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Co	omplete if Known
Application Number	09/833,203
Filing Date	April 12, 2001
First Named Inventor	Maurice ZAUDERER
Examiner Name	VANDERVEGT, Francois P.
Art Unit	1644
Attorney Docket No.	1821.0020001/EKS/AJK/T-M

METHOD OF PAYMENT (check all that apply)		FEE CALCULATION (continued)					
Check X Credit card Money X Other None		3. ADDITIONAL FEES					
**Charge any deficiencies or credit any overpayments in Deposit Account: the fees to Deposit Acct. No. 19-0036.		Large Entity Small Entity					
Deposit Account 19-0036	Fee Code	,		Fee (\$)	Fee Description	Fee Paid	
Number	1051	130	2051	65	Surcharge - late filing fee or oath		
Deposit Account Sterne, Kessler, Goldstein & Fox P.L.L.C.	1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	<u> </u>	
Name The Director is authorized to: (check all that apply)		130	1053	130	Non-English specification		
Charge fee(s) indicated below Credit any overpayments		2,520	1812	2,520	For filing a request for ex parte reexamination		
Charge any additional fee(s) or any underpayment of fee(s)		920*	1804	920*	Requesting publication of SIR prior to Examiner action		
Charge fee(s) indicated below, except for the filing fee		1,840*	1805	1,840*	Requesting publication of SIR after		
to the above-identified deposit account.		110	2251	55	Examiner action Extension for reply within first month		
FEE CALCULATION		430	2252	215	Extension for reply within second month		
1. BASIC FILING FEE	1252 1253	980	2252	490	Extension for reply within third month		
Large Entity F <u>ee Fee Fee Fee Fee Description</u> Fee Pald	1254		2254	765	, ,		
Code (\$) Code (\$)					Extension for reply within fourth month		
1001 790 2001 395 Utility filing fee	1255		2255	.,	Extension for reply within fifth month	——	
1002 350 2002 175 Design filing fee	1401	340	2401		Notice of Appeal		
1003 550 2003 275 Plant filing fee	1402	340	2402		Filing a brief in support of an appeal		
1004 790 2004 395 Reissue filing fee	1403	300	2403	150	Request for oral hearing	<u> </u>	
1005 160 2005 80 Provisional filing fee	1451	1,510	1451	1,510	Petition to institute a public use proceeding		
SUBTOTAL (1) (\$)		110	2452	55	Petition to revive - unavoidable		
2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE		1,370	2453	685	Petition to revive - unintentional		
Fee from		1,370	2501		Utility issue fee (or reissue)		
Extra Claims below Fee Paid Total Claims -2007* = X =	1502	490	2502	245	Design issue fee		
Independent	1503	660	2503		Plant issue fee		
Claims X = 3** = X = 4	1460	130	1460	130	Petitions to the Commissioner		
	1807	50	1807	7 50	Processing fee under 37 CFR 1.17(q)		
Large Entity Small Entity Fee Fee Fee Fee Fee Description	1806	180	1806		Submission of Information Disclosure Stmt	180.00	
Code (\$) Code (\$)	8021	40	8021	40	Recording each patent assignment per property (times number of properties)		
1202 18 2202 9 Claims in excess of 20	1809	790	2809	395	Filing a submission after final rejection		
1201 88 2201 44 Independent claims in excess of 3					(37 ČFR 1.129(a))		
1203 300 2203 150 Multiple dependent claim, if not paid	1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))		
1204 88 2204 44 ** Reissue independent claims over original patent	1801	790	2801	395	Request for Continued Examination (RCE)		
1205 18 2205 9 ** Reissue claims in excess of 20 and over original patent	1802	900	1802	900	Request for expedited examination of a design application		
SUPTOTAL (2) (\$)	Other	Other fee (specify)					
SUBTOTAL (2) ((\$) **or number previously paid, if greater; For Reissues, see above	*Redu	ced by	Basic F	Filing Fe	ee Paid SUBTOTAL (3) (\$)	180.00	
SUBMITTED BY (Complete (if applicable))							

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Registration No.

(Attorney/Agent)

Telephone

Date

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November 22, 2004

55,472